

MAINE STATE HARNESS RACING COMMISSION

MINUTES OF MEETING

November 4, 2015

Room 208

Burton Cross Building

Capitol Street, Augusta, Maine

Commission Members Present: Barbara Dresser, Chair, Gary Reed and William McFarland

Commission Member Absent: Dirk Duncan

Staff Members Present: Ron Guay, AAG, Henry Jennings, Carol Gauthier, Betty Farr and Miles Greenleaf.

**1. Call the Meeting to Order and Introductions:** Barbara Dresser, Chair.

**2. Commission Discussion of Rulemaking Priorities and Schedule**

Commissioner Dresser asked where they were on Chapter 11. Mr. Jennings stated that the APA process had expired so they need to go back and start over with the proposed rule. Commissioner Dresser also asked about Chapter 9. Mr. Jennings stated that he would look into it. AAG, Guay stated that the Commission's rule needs to reflect what the statute says. After a brief discussion, Commissioner Reed made a motion to direct Mr. Jennings to initiate rulemaking for the proposed change to Chapter 9, Section 5 as discussed here today. Commissioner McFarland seconded. Vote 3-0.

Commissioner Dresser asked where they are on Chapter 21. AAG, Guay stated that he had been working on this rule and that the language needs to be cleaned up. After a brief discussion, there was no action taken at this time.

Commissioner Dresser stated that she was informed that the ADHOC Committee was ready to review Chapter 7. Ms. Perkins explained to Mr. Jennings what the ADHOC Committee was doing. Michael Sweeney stated that the Committee was ready to review the proposed changes to Chapter 7. Commissioner Dresser asked Mr. Jennings if he had anything to offer. Mr. Jennings stated that the subpoenas are more of a policy issue. AAG, Guay stated that other agencies generally do go through the presiding officer. He stated that the subpoenas are a burden to the hearing officer. They had a brief discussion. Mr. Jennings stated that he would look into it more.

**3. Commission Discussion About the Program Evaluation Report**

Commissioner Dresser turned the meeting over to Mr. Jennings. Mr. Jennings stated that the Program Evaluation Report was due on November 1, 2015 but he asked for an extension due to being new to the position. The report was extended to January 1, 2016. Mr. Jennings asked for any input from the Commission members. They discussed the report and left it up to Mr. Jennings discretion.

**4. Executive Director's Report**

Commissioner Dresser asked for Mr. Jennings executive director's report. Mr. Jennings stated that Mr. Greenleaf will be organizing the judges' seminar. Ms. Perkins stated that her idea of the state steward's job is to act as the liaison between the race commission and the tracks. Commissioner McFarland stated that there are a very limited number of officials that can fill the critical positions and that makes it very difficult to fill. Mr.

Jennings stated that he gets phone calls or emails from people that voice their concerns. He also stated that he will have the minutes posted to the website as soon as they have been approved. Commissioner Dresser stated that it has been a huge help by having the agendas posted to the website.

Commissioner Dresser asked about what was going on with the NSAIDs. After a brief discussion, Commissioner Dresser stated that now that the rules have changed on the NSAIDs penalties, the resolution to enter into a consent agreement for Chapter 11, Section 8 violation for first time offense would be helpful. Commissioner Reed agreed with Commissioner Dresser. AAG, Guay stated that this would be a good use of time for the Commission staff. Commissioner Dresser asked for a motion. Commissioner Reed made a motion to approve a resolution to authorize the executive director to enter into consent agreements for first offense violations of Chapter 11, Section 8. Commissioner McFarland seconded. Vote 3-0.

**5. Public Comment**

Commissioner Dresser asked for any public comment. Ms. Perkins reported on the consolation races that were held at Bangor Raceway.

**6. Schedule of Future Meetings**

November 18 and December 16

**7. Adjourn**

11:55 a.m.